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9 CHEMNUTRA INC.

10 **UNITED STATES DISTRICT COURT**

11 **DISTRICT OF NEVADA**

12 MARGARET PICUS, an individual; on behalf  
13 of herself, and on behalf of all others similarly  
14 situated,

15 CASE NO.: 2:07-cv-00682-PMP-LRL

16 Plaintiffs,  
17 vs.  
18 WAL-MART STORES, INC.; MENU FOODS  
19 INC.; DEL MONTE FOODS COMPANY;  
20 SUNSHINE MILLS, INC.; CHEMNUTRA  
21 INC.; and DOES 1 through 100, inclusive,

22 **JOINDER BY CHEMNUTRA, INC. TO  
23 MENU FOODS, INC.'S MOTION TO  
24 DISMISS THE COMPLAINT**

25 Defendants.

26  
27 Defendant ChemNutra, Inc. ("ChemNutra"), by and through its counsel for record, Morris  
28 Polich & Purdy LLP, hereby joins in the Menu Food, Inc.'s Motion to Dismiss the Complaint for  
failure to state a claim upon which relief can be granted. The Memorandum of Points and Authorities  
as stated in Menu Food, Inc.'s motion are incorporated herein by reference.

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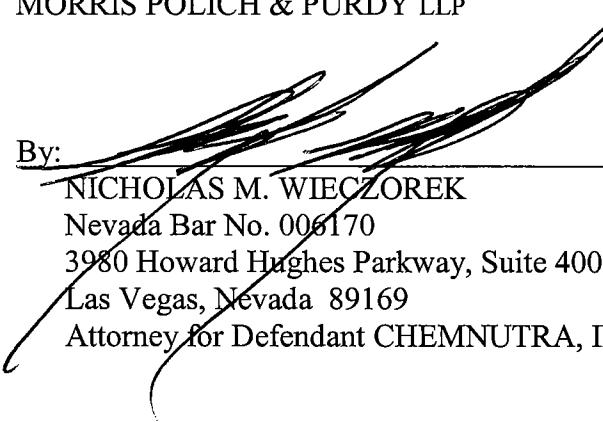
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1 This Joinder is based upon the pleadings and papers on file herein, any exhibits annexed  
2 thereto, and any or arguments that may be entertained at the hearing set for this matter.

3 DATED this 13 day of July, 2007.

4 MORRIS POLICH & PURDY LLP

5 By: 

6 NICHOLAS M. WIECZOREK  
7 Nevada Bar No. 006170  
8 3980 Howard Hughes Parkway, Suite 400  
9 Las Vegas, Nevada 89169  
10 Attorney for Defendant CHEMUTRA, INC.

## **CERTIFICATE OF SERVICE**

I certify that I am an employee of Morris Polich & Purdy LLP, and that on this 13 day of July, 2007, I served a true and correct copy of the foregoing **JOINDER BY CHEMNUTRA, INC. TO MENU FOODS, INC.'S MOTION TO DISMISS THE COMPLAINT** as follows:

(X) by placing same to be deposited for mailing in the United States Mail, in a sealed envelope upon which first class postage was prepaid in Las Vegas, Nevada; and/or

( ) to be hand-delivered to the attorneys listed below at the address indicated below:

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